

EXHIBIT 2

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

MELISSA GALE,

Plaintiff,

v.

MISSION HOSPICE OF SAN ANTONIO,
LLC,

Defendant.

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Civil Action No. 5:22-cv-01329-XR

DECLARATION OF MICHAEL V. GALO, JR.

STATE OF TEXAS

COUNTY OF BEXAR

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My name is Michael V. Galo, Jr.. I am over the age of eighteen, am competent to testify, and have personal knowledge of the following facts:

1. I am counsel of record for the Plaintiffs in this case. I was licensed in 1994. I worked for a federal district judge for the year following my graduation from law school, after which I entered private practice. Since I entered private practice, I have focused on labor and employment law. I have been board certified in labor and employment law since 1999. I handle cases on both sides of the docket. I currently charge my hourly clients between \$300.00 and \$350.00 per hour. My new clients for the last several years have engaged me at \$350.00 per hour.

2. My billing rate for this case is \$350.00 per hour. I set my fee at this rate because this is the rate that the courts have approved for other experienced labor and employment practitioners. In my opinion, this hourly rate is reasonable for a labor and employment lawyer in San Antonio with 28 years of experience in the practice area.

3. I have kept contemporaneous time records of the work we performed on this case. It is my customary practice to do so. Attached as Exhibit 1 to this declaration is a true and correct copy of our fee statement. A draft of this fee statement was reviewed by me for billing judgment, and I did delete some entries and reduced others. In my professional opinion, based on my 28 years of experience, my knowledge of the billing practices of other lawyers in the community, and my study of the case law regarding the awarding of attorney fees, I believe that the time entries listed in the attached fee statement are reasonable and that all of the work listed therein was necessary for the effective representation of my clients. The total fee comes to \$6626.68.

4. The costs of court in this case total \$497.00 and consist of the filing fee and service of process fee charged by the process server.

5. A copy of my most current CV is attached to Plaintiff's Motion for Default Judgment as Exhibit 4.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 2nd day of March, 2023.



Michael V. Galo, Jr.



4230 Gardendale
Building 401
San Antonio, Tx 78229
TIN 26-0645497

Invoice submitted to:
Melissa Gale

March 2, 2023

Invoice #15669

Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>
7/18/2022 - Initial conference with client regarding facts of case and subsection (h) claim	1.00 350.00/hr	350.00
7/19/2022 - Meet with client to discuss facts of case in detail and to discuss filing subsection (h) lawsuit	1.50 350.00/hr	525.00
7/20/2022 - Draft demand letter	0.50 350.00/hr	175.00
7/28/2022 - Conference with client to revise demand letter	0.33 350.00/hr	116.67
8/5/2022 - Conference with client regarding Company's failure to pay her last wages	0.25 350.00/hr	87.50
8/8/2022 - Draft lawsuit	1.60 350.00/hr	560.00
10/6/2022 - Extended conference with Melissa Gale to answer questions I still have to complete drafting lawsuit	0.58 350.00/hr	204.17
11/21/2022 - Legal research to survey Section 3730(h) case law, whether plaintiff must have stepped outside her normal duties in making complaint, individual liability under subsection (h)	1.00 350.00/hr	350.00
11/29/2022 - Conference with client regarding additional question I had while drafting lawsuit	0.33 350.00/hr	116.67

Melissa Gale

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	<u>Hrs/Rate</u>	<u>Amount</u>
12/2/2022 - Revise lawsuit	0.70 350.00/hr	245.00
12/5/2022 - Extended conference with client regarding additional questions and to review draft of lawsuit again	0.50 350.00/hr	175.00
12/12/2022 - Final conference with client to go over lawsuit prior to filing	0.40 350.00/hr	140.00
1/2/2023 - Draft First Request for Production and First Set of Interrogatories	2.00 350.00/hr	700.00
1/31/2023 - Review court order regarding default and deadline to file same	0.13 350.00/hr	46.67
2/8/2023 - Begin draft of Motion for Default Judgment	2.00 350.00/hr	700.00
3/1/2023 - Continue drafting Motion for Default Judgment	2.60 350.00/hr	910.00
3/2/2023 - Revise and finalize Motion for Default Judgment and supporting declaration	3.50 350.00/hr	1,225.00
For professional services rendered	18.92	\$6,626.68
Additional Charges :		
	<u>Qty/Price</u>	
12/13/2022 - Filing fee for Original Complaint	1 402.00	402.00
12/15/2022 - Process Services (Pronto Process Inc, 2022012589 for Business Filings)	1 95.00	95.00
Total costs		\$497.00
Total amount of this bill		\$7,123.68
Balance due		\$7,123.68